

# Exhibit D



SEEGERWEISS<sub>LLP</sub>

77 Water Street, New York, NY 10005 P 212.584.0700 F 212.584.0799 www.seegerweiss.com

July 25, 2017

Via Email and Federal Express Overnight Mail

Eric Kanefsky, Esq.  
Eric@ck-litigation.com  
CALCAGNI & KANEFSKY LLP  
One Newark Center  
1085 Raymond Blvd., 14th Floor  
Newark, NJ 07102

David K. Willingham, Esq.  
dwillingham@bsfllp.com  
BOIES SCHILLER FLEXNER LLP  
725 South Figueroa Street, 31st Floor  
Los Angeles, CA 90017-5524

Re: *In re National Football League Players' Concussion Injury Litigation*,  
No. 2:12-md-02323-AB (E.D. Pa.)

Dear Messrs. Kanefsky and Willingham,

As Co-Lead Class Counsel for the certified and finally approved Settlement Class in the above-referenced *In re: National Football League Players' Concussion Injury Litigation* ("NFL Concussion Litigation"), I am writing to you because you currently represent RD Legal Funding, LLC; RD Legal Finance, LLC; RD Legal Funding Partners, LP; and Roni Dersovitz (collectively, "RD Legal") in *Consumer Financial Protection Bureau v. RD Legal Funding, LLC*, No. 17-cv-00890-LAP (S.D.N.Y.); *RD Legal Funding, LLC v. Consumer Fin. Prot. Bureau*, No. 17-cv-00010-LAP (S.D.N.Y.); and *RD Legal Funding, LLC v. Schneiderman*, No. 1:17-cv-00681-LAP (S.D.N.Y.). If you will not be representing RD Legal (including Mr. Dersovitz) in connection with the subject of this letter and enclosed discovery requests, please advise me immediately so that I can contact the appropriate counsel, or RD Legal directly, if they are unrepresented concerning this matter.

As you may be aware, the MDL Judge presiding over the NFL Concussion Litigation, the Honorable Anita B. Brody, issued an Order on July 19, 2017, a copy of which is included in the attachment hereto. This Order authorizes me to conduct discovery of entities and individuals soliciting and/or entering into agreements with the Class Members in the NFL Concussion Litigation, including entities such as RD Legal and its affiliates. Therefore, I am propounding the enclosed Requests for Production of Documents and Interrogatories upon your clients.

New York

Newark

Philadelphia

Messrs. Kanefsky and Willingham

July 25, 2017

Page 2

As per Judge Brody's Order, the deadline for responding to this discovery is fourteen days. Accordingly, the responses to the attached are due on August 8, 2017.

In connection with this discovery, I am also authorized to conduct depositions for the purpose of presenting evidence to the Court at the hearing scheduled to address the matters discussed in the Order on September 19, 2017. As such, please provide me with dates during the weeks of August 14 and August 21, on which Messrs. Dersovitz, Leo J. Zatta, Joe Montgomery, Jessica Robinson, Barbara Laraia and Robert Cohan will be available for depositions and the preferred location(s) for same. If you will not be representing Messrs. Zatta, Montgomery and Cohan, and/or Ms. Robinson or Ms. Laraia, please advise me immediately.

If you have any questions, please contact my partner in our Philadelphia office, TerriAnne Benedetto, at 215-564-2300, or [tbenedetto@seegerweiss.com](mailto:tbenedetto@seegerweiss.com).

Very truly yours,

/s/ Christopher A. Seeger

Christopher A. Seeger  
*Co-Lead Class Counsel*

Enclosures

cc (w/encls.):

Brad Karp, Esq. (*Counsel for the NFL Parties*)  
Sol Weiss, Esq. (*Co-Lead Class Counsel*)

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

Kevin Turner and Shawn Wooden,  
*on behalf of themselves and  
others similarly situated,*

Plaintiffs,

v.

National Football League and  
NFL Properties LLC,  
successor-in-interest to  
NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

No. 2:12-md-02323-AB

MDL No. 2323

**Hon. Anita B. Brody**

Civ. Action No. 14-00029-AB

**REQUESTS FOR PRODUCTION OF DOCUMENTS AND INTERROGATORIES  
DIRECTED TO RESPONDENTS, RD LEGAL FUNDING, LLC;  
RD LEGAL FINANCE, LLC; RD LEGAL FUNDING PARTNERS, LP; AND  
RONI DERSOVITZ**

Pursuant to the Court's Order dated July 19, 2017 (ECF No. 8037), Co-Lead Class Counsel hereby serve the following Requests for Production of Documents and Interrogatories (collectively "Discovery Demands") to be responded to by August 8, 2017 by respondents, RD Legal Funding, LLC; RD Legal Finance, LLC; RD Legal Funding Partners, LP; and Roni Dersovitz. A copy of that July 19, 2017 Order accompanies these discovery demands.

## **DEFINITIONS AND INSTRUCTIONS**

Unless otherwise indicated, the following definitions and terms shall be applicable to the Discovery Demands contained herein, and you are requested to provide the information required by each definition, where applicable.

1. The “Settlement” means the Class Action Settlement (As Amended), dated February 13, 2015 [ECF No. 6481-1], and finally approved by the Honorable Anita Brody of the United States District Court for the Eastern District of Pennsylvania on April 22, 2015 [ECF No. 6509], available at <https://www.nflconcussionsettlement.com/Documents.aspx>.

2. The “BAP” means the Baseline Assessment Program, as defined in section 2.1(i) an Article V of the Settlement.

3. The “MAF” means the Monetary Award Fund, as defined in section 2.1(bbb) and Article VI of the Settlement.

4. “Medical services” means any consultation, evaluation, examination, treatment, or diagnosis with or from a medical professional.

5. “Solicitation” means any communication, whether printed, electronic, telephonic, mailed, emailed, on the internet, which was intended, in whole or in part, to seek representation of, or to provide monies or other services to Retired NFL Football Players.

6. “Communication” means any written statement whether in print or electronic form, as well as any oral communications, in person or over the telephone or internet medium.

7. “Identify,” when used with respect to a person, means to state the full name, current address, or if not available, last known address, telephone number and email address, if known, and affiliation with any organization, corporation, firm or other entity. “Identify,” when used with respect to a document, means to state the author(s), date, recipient(s), type, subject

matter and any other identifying information with respect to the document.

8. “Retired NFL Football Player” means all living retired NFL football players, as that term is specifically defined in section 2.1(ffff) of the Settlement.

9. “You” or “Your” means RD Legal Funding, LLC; RD Legal Finance, LLC; RD Legal Funding Partners, LP; and Roni Dersovitz; and their present and former directors, officers, employees, contractors, agents, consultants, and affiliates and their attorneys, or other persons acting for or on behalf of any of them.

10. In order to bring within the scope of these interrogatories and request for production of documents all conceivably relevant information that might otherwise be construed to be outside their scope:

- a. the singular of each word shall be construed to include its plural and vice versa;
- b. “and,” as well as “or,” shall be construed conjunctively as well as disjunctively; and
- c. “all,” “any,” “each,” and “every” shall each be construed as all, any, each and every.

### **REQUESTS FOR PRODUCTION**

#### **Request No 1.**

Produce exemplars of all Solicitations that You directed toward Retired NFL Football Players.

#### **Request No 2.**

Produce all Communications that You had with Retired NFL Football Players related to the Settlement.

**Request No 3.**

Produce all Communications that You had with any other person or entity related to the Settlement, including, but not limited to MAF or BAP examinations, other Medical services, or related in any way to MAF Monetary Awards.

**Request No 4.**

Produce all agreements that You entered into with any other person or entity related to the Settlement.

**Request No 5.**

Produce all agreements that You entered into with any Retired NFL Football Player.

**Request No 6.**

Produce all agreements that You entered into related to any MAF Monetary Awards that might be made through the Settlement.

**Request No 7.**

Produce all agreements that You entered into related to any other benefit that may be provided through the Settlement, including through the BAP or any comparable Medical services.

**Request No 8.**

Produce any recordings of conversations related to the Settlement that You had with any person or entity.

**Request No. 9**

Produce all Settlement-related deposition and/or interview transcripts, along with any exhibits thereto (whether the witness was You, a Retired NFL Football Player, or someone else), conducted in connection with any of the following cases, conducted in connection with

investigations related to the following cases, or in way related to the following cases: *Consumer Financial Protection Bureau. v. RD Legal Funding, LLC*, No. 17-cv-00890-LAP (S.D.N.Y.); *RD Legal Funding, LLC v. Consumer Fin. Prot. Bureau*, No. 17-cv-00010-LAP (S.D.N.Y.); and *RD Legal Funding, LLC. v. Schneiderman*, No. 1:17-cv-00681-LAP (S.D.N.Y.).

## **INTERROGATORIES**

### **Interrogatory No 1.**

Identify every Retired NFL Football Player with whom You have entered into any agreement related to the Settlement and state the nature of each agreement into which You entered with each Retired NFL Football Player.

### **Interrogatory No 2.**

Identify every Retired NFL Football Player referred for, sent to, or scheduled for any type of medical services, by You, anyone working on Your behalf, or working in conjunction with You in any way, regardless of whether the medical services were performed by someone affiliated with You or Your organizations or not.

### **Interrogatory No 3.**

Identify every Retired NFL Football Player for whom You, or anyone working on Your behalf, or working in conjunction with You in any way, have been involved in the payment, directly or through others, for a Retired NFL Football Player's expenses (whether on a non-recourse or recourse basis) in connection with obtaining any Medical services to assist the Retired NFL Football Player in any way in participating in the Settlement.



**Interrogatory No 4.**

Identify every individual and entity with whom You, anyone working on Your behalf, or working in conjunction with You in any way, have worked or Communicated in connection with any Retired NFL Football Player's obtaining any Medical services to assist the Retired NFL Football Player in any way in participating in the Settlement, including, but not limited to, medical providers. For each such individual and/or entity, explain the details of the relationship and identify each Retired NFL Football Player involved.

**Interrogatory No 5.**

Identify every individual and entity with whom You, anyone working on Your behalf, or working in conjunction with You in any way, have any financial relationship or understanding, whether recourse or non-recourse, whether in writing or verbal, related to any Retired NFL Football Player's participation in the Settlement. For each such individual and entity, explain the details of the relationship and identify each Retired NFL Football Player involved. Identify any document related to the relationship.

**Interrogatory No. 6**

Identify every individual and entity from whom You have obtained contact information for any Retired NFL Football Player, including their home or cellular telephone numbers, home or business addresses and email addresses.

Dated: July 25, 2017

/s/ Christopher A. Seeger  
Christopher A. Seeger  
SEEGER WEISS LLP  
77 Water Street  
New York, NY 10005  
Phone: (212) 584-0700  
Fax: (212) 584-0799  
[cseeger@seegerweiss.com](mailto:cseeger@seegerweiss.com)

***Co-Lead Class Counsel***